

RENTON CITY COUNCIL
Regular Meeting

November 16, 1998
Monday, 7:30 p.m.

Council Chambers
Municipal Building

MINUTES

CALL TO ORDER

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF
COUNCILMEMBERS**

BOB EDWARDS, Council President; TONI NELSON; RANDY CORMAN; TIMOTHY SCHLITZER; KING PARKER; DAN CLAWSON; KATHY KEOLKER-WHEELER.

**CITY STAFF IN
ATTENDANCE**

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; MARILYN PETERSEN, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; BETTY NOKES, Economic Development Director; TOM BOYNS, Property Services Supervisor; DEREK TODD, Finance Analyst; COMMANDER KEVIN MILOSEVICH, Police Department.

**APPROVAL OF
COUNCIL MINUTES**

MOVED BY EDWARDS, SECONDED BY CLAWSON, COUNCIL APPROVE THE MINUTES OF NOVEMBER 9, 1998, AS PRESENTED. CARRIED.

PUBLIC HEARING

Vacation: Oakesdale Ave SW
(I-405 to SW Grady Way),
IBID Corp, VAC-98-003

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Tanner opened the public hearing to consider a petition to vacate a portion of Oakesdale Ave. SW from I-405 to SW Grady Way (IBID Corporation, VAC-98-003).

Tom Boyns, Property Services Supervisor, explained that the area requested to be vacated is unimproved and no longer needed by the City. Originally platted as Stibien Avenue before becoming Oakesdale, the alignment of Oakesdale was then shifted to the west. The remaining segment of right-of-way lies more than 100 feet away from the existing Oakesdale Ave. SW. The City has no utilities in the right-of-way, and the petitioner is also the sole abuttor to the property. The Board of Public Works has reviewed and approved the request.

Audience comment was invited. There being none, it was MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL APPROVE THE VACATION REQUEST WITH THE CONDITION THAT PUGET SOUND ENERGY BE GRANTED TIME TO OBTAIN AN EASEMENT FOR ITS OVERHEAD TRANSMISSION LINES IN THE RIGHT-OF-WAY. CARRIED.

**ADMINISTRATIVE
REPORT**

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 1998 and beyond. Items noted included:

- ✱ The Police Department will conduct traffic control emphasis at the following locations this week: SE 19th St., SW Sunset Blvd., and NE 8th and 6th Streets.
- ✱ The City's Lobby Information Volunteers were recently honored at a dinner hosted by the City Clerk Division, during which certificates of service and

gift certificates were provided to each volunteer in appreciation of service durations ranging from 15 years to one year.

AUDIENCE COMMENT
Citizen Comment: Christie –
Pull Tab Tax Reduction

Dale Christie, operator of Hillcrest Bowl at 2809 NE Sunset Blvd., Renton, 98056, asked that the City reduce its current tax on pull tabs from 5% of gross revenues to a more equitable figure. Mr. Christie said the current tax amounts to 20% of his net income from pull tabs, which he considered too high. For example, last quarter he had \$201,000 in revenues from pull tabs, but paid out \$146,000 in prizes. Of the remaining \$55,000, he paid the City more than \$10,000 in taxes. Mr. Christie claimed that several cities around the state now assess taxes on pull tab revenues according to net, rather than gross, revenues.

MOVED BY PARKER, SECONDED BY NELSON, COUNCIL REFER THIS MATTER TO THE FINANCE COMMITTEE. CARRIED.

Mr. Parker asked that the Administration provide the committee with as much information as possible on this subject, including a sample form used for reporting pull tab revenues and calculating the tax owing.

CONSENT AGENDA

Appeal: The Boeing Co.
Helistop on Oakesdale Ave
SW, A-98-

Items on the consent agenda are adopted by one motion which follows the listing.

City Clerk reported appeal of Hearing Examiner's decision approving construction and operation of a helistop at Boeing's headquarters building (901 Oakesdale Ave. SW) for an initial period of five years; appeal filed on 11/02/98 by Charles E. Maudell, accompanied by the required fee. Refer to Planning & Development Committee.

Executive: *CitySource* Printing
& Distribution (Contract
w/*Renton Reporter*)

Executive Department recommended approval of a contract in the amount of \$64,800 with the *Renton Reporter* to print and distribute CitySource, the City's newsletter to its citizens, on as a monthly basis in 1999 and 2000. Refer to Community Services Committee.

HR&RM: Broker & Claims
Administration Agreements

Human Resources & Risk Management Department recommended the cancellation of agreements with Arthur J. Gallagher & Co. and Giesy, Greer & Gunn, Inc. for broker and claims administration services, respectively; and further recommended that Renton become a member of the Washington Cities Insurance Authority effective January 1, 1999, for purposes of liability and property protection. Refer to Finance Committee.

Streets: Main Ave S Transit
Way (Contra-Flow) Project

Transportation Systems Division recommended that Council receive a briefing on the design of the Main Ave. S. Transit Way (or Contra-Flow) project. Refer to Transportation Committee.

MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

CORRESPONDENCE
Citizen Comment: Renton
School District – Electronic
Readerboard Sign at McKnight

Correspondence was read from Dolores J. Gibbons, Superintendent of Renton School District 403, requesting that the City clarify and/or modify its Sign Code with respect to an electronic readerboard sign at McKnight Middle School. MOVED BY SCHLITZER, SECONDED BY PARKER, COUNCIL REFER THIS MATTER TO THE PLANNING & DEVELOPMENT COMMITTEE. CARRIED.

Citizen Comment: Nelson (The
Boeing Company) – Oakesdale
Ave SW Extension

Correspondence was read from J.J. Nelson, Vice President of Facilities Asset Management for The Boeing Company, PO Box 3707, Seattle, 98124, expressing gratitude to the City for successfully completing the Oakesdale Ave. SW extension within budget and on time.

Citizen Comment: Schott –
Human Services Funding

Correspondence was read from Lawrence F. Schott, 1210 N. 33rd Pl., Renton, 98056, urging the City to increase its human services funding in the 1999-2000 budget. MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL REFER THIS LETTER TO THE COMMITTEE OF THE WHOLE. CARRIED.

OLD BUSINESS
Finance Committee
Finance: Vouchers

Finance Committee Chair Parker presented a report recommending approval of Claims Vouchers 164643 – Unknown* and three wire transfers in the total amount of \$3,839,511.39, and approval of Payroll Vouchers 163199 – 163444 and 519 direct deposits in the total amount of \$1,276,046.89. *Due to a system error, staff was unable to print the actual checks for this run. MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Police: Peddler's License

Finance Committee Chair Parker presented a report recommending adoption of the Peddler's License ordinance. This ordinance requires a peddler to be licensed, which licensing will enable the City to regulate peddlers within Renton city limits. The Committee further recommended that the ordinance regarding this matter be presented for first reading. MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 380 for ordinance.)

Mr. Parker explained that the regulations will ensure that all peddlers provide the City with proper identification and other information. The charge will be \$75 per license (in addition to the regular business license fee), and all vehicles used to conduct business will have to be clearly marked.

Responding to Councilman Corman, Mr. Parker confirmed that exceptions will be available to groups such as the Girl Scouts for their annual cookie fundraising efforts.

Planning & Development
Committee
Legal: City Council
Elimination as Appellate Body
for Hearing Examiner
Decisions

The following Planning & Development Committee report was tabled at the 11/09/98 Council meeting. It was MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL TAKE THIS MATTER FROM THE TABLE AT THIS TIME. CARRIED.

Planning & Development Committee Chair Keolker-Wheeler presented a report recommending the elimination of City Council as an appellate body for Hearing Examiner decisions. The Committee met on this topic on Thursday, November 5th. This issue was first raised by the recent Supreme Court case of *Mission Springs v. City of Spokane*, wherein individual councilmembers were held to be potentially liable in damages to a developer because of interference with the issuance of a grading permit. The City Attorney explained to the Council that the logic of that case would also extend to city councilmembers sitting as appeals officers when handling appeals from decisions of the Hearing Examiner. The Committee also noted that the appeal system is generally very structured in that the Council must find an error in fact or law. When combined with the appearance of fairness doctrine, which prevents city councilmembers from discussing pending appeals with constituents, the appeal process is confining and frustrating to both Councilmembers and constituents. For these reasons, the Committee recommended that the full Council request the City Attorney to draft an ordinance making all appeals from Hearing Examiner decisions appealable to Superior Court and not to the City Council. The City Council will retain its jurisdiction, as required by statute, to handle all rezones. MOVED BY

KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT.*

*MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL REFER THIS REPORT AND ITS SUBJECT MATTER TO THE COMMITTEE OF THE WHOLE TO BE DISCUSSED BY THE FULL COUNCIL BEFORE THE END OF THE CALENDAR YEAR. CARRIED.

Council President Edwards requested that the City Attorney attend the Committee of the Whole meeting where this item will be discussed for the purposes of providing information and advice to Council on this subject at that time.

ORDINANCES AND RESOLUTIONS

Resolution #3359

Council: King County 1999
Budget (Position)

The following resolution was presented for reading and adoption:

A resolution was read addressing the proposed 1999 King County Budget, and urging that the King County Council adopt a 1999 Budget that implements and sufficiently funds the County's responsibility as regional service provider to all citizens. MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinances were presented for first reading and referred to the meeting of November 23, 1998 for second and final reading:

Police: Peddler's License

An ordinance was read amending Title V (Finance and Business Regulations) of City Code by adding Chapter 20, Peddler's License. MOVED BY CORMAN, SECONDED BY PARKER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 11/23/98. CARRIED.

Police: State Firearms &
Dangerous Weapons Crimes

An ordinance was read amending subsection 6-10-1.K of Chapter 10, Criminal Code, of Title VI (Police Regulations) of City Code relating to the adoption by reference of State firearms/dangerous weapons crimes. MOVED BY CORMAN, SECONDED BY KEOLKER-WHEELER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 11/23/98. CARRIED.

Ordinance #4751

Development Services:
Subdivision Ordinance
Changes

The following ordinance was presented for second and final reading:

An ordinance was read amending Chapter 7, Subdivision Regulations, Chapter 8, Permits and Decisions, and Chapter 11, Definitions, of Title IV (Development Regulations) of City Code by amending definitions, creating a procedure for amendments to approved preliminary plats in the subdivision regulations, revising the definition for pipestem lots, revising the submission period for final plats from three years to five years, revising final plat submittal requirements to allow for earlier submittals, and revising lot line adjustment recording requirements to delete legal descriptions. MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL ADOPT THE ORDINANCE AS PRESENTED. ROLL CALL: ALL AYES. CARRIED.

ADJOURNMENT

MOVED BY EDWARDS, SECONDED BY SCHLITZER, COUNCIL ADJOURN. CARRIED. Time: 8:08 p.m.

Recorder: Brenda Fritsvold
November 16, 1998